
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

MICHAEL SUSSMAN,

Plaintiff,

v.

SOUTH SALT LAKE CITY, INC.; UTAH
TRANSIT AUTHORITY; UTA POLICE
OFFICER WIHONGI; SHANTEE WELSH;
and SALT LAKE REGIONAL MEDICAL
CENTER,

Defendants.

**MEMORANDUM DECISION AND
ORDER ADOPTING [22] REPORT AND
RECOMMENDATION**

Case No. 2:17-cv-01012-DN-PMW

District Judge David Nuffer

The Report and Recommendation¹ issued by United States Magistrate Judge Paul M. Warner on September 7, 2018 recommends that this action be dismissed with prejudice under the authority of the IFP statute, 28 U.S.C. § 1915(e)(2)(B)(ii).² Because the Report and Recommendation recommended dismissal with prejudice, it was further recommended that the other pending motions in this action³ be deemed moot.⁴

The parties were notified of their right to file objections to the Report and Recommendation within 14 days of its service pursuant to [28 U.S.C. § 636](#) and [Fed. R. Civ.](#)

¹ Report and Recommendation, [docket no. 22](#), filed September 7, 2018.

² *Id.* at 15–16.

³ Plaintiff's Emergency Ex Parte Motion for Emergency Order to Show Cause and to Compel Attendance to Prevent Unlawful Plan of All Defendants, [docket no. 8](#), filed September 22, 2017; Defendant South Salt Lake City's Motion to Dismiss, [docket no. 11](#), filed October 10, 2017; Plaintiff's Motion to Move this Case to the Front of the Line, [docket no. 21](#), filed April 6, 2018.

⁴ Report and Recommendation at 16.

[P. 72](#). Because copy of the Report and Recommendation was mailed to the Plaintiff, he was provided an additional three days to file an objection under [Fed. R. Civ. P. 6\(d\)](#).

No party filed a written objection to the Report and Recommendation as provided by court rules. Therefore, the analysis and conclusion of the Magistrate Judge are accepted and the Report and Recommendation⁵ is adopted in its entirety.

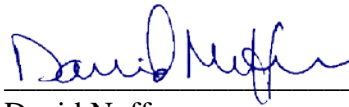
ORDER

IT IS HEREBY ORDERED that the Report and Recommendation⁶ is ADOPTED and this case is DISMISSED with prejudice. All other Pending Motions⁷ are MOOT.

The Clerk is directed to close the case.

Signed September 27, 2018.

BY THE COURT

A handwritten signature in blue ink, appearing to read "David Nuffer", is written over a horizontal line.

David Nuffer
United States District Judge

⁵ Report and Recommendation, [docket no. 22](#), filed September 7, 2018.

⁶ Report and Recommendation, [docket no. 22](#), filed September 7, 2018.

⁷ Plaintiff's Emergency Ex Parte Motion for Emergency Order to Show Cause and to Compel Attendance to Prevent Unlawful Plan of All Defendants, [docket no. 8](#), filed September 22, 2017; Defendant South Salt Lake City's Motion to Dismiss, [docket no. 11](#), filed October 10, 2017; Plaintiff's Motion to Move this Case to the Front of the Line, [docket no. 21](#), filed April 6, 2018.